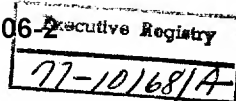


The Director

Central Intelligence Agency



Washington, D. C. 20505



Congress
17 Nov 77

24 DEC 1977

Honorable John F. Seiberling
House of Representatives
Washington, D. C. 20515

Dear Mr. Seiberling:

Thank you for your letter of 17 November concerning the oaths and agreements which Richard Helms took during his service with the CIA and which employees take today.

I appreciate your expression of support for my efforts to develop guidelines to govern the conduct of CIA employees. Let me assure you that the CIA is not being used to undermine the rule of law or free institutions of the United States, and will not be so used in the future.

In response to your first two questions concerning the oaths which Mr. Helms took, I enclose copies of the following for your information:

- 4 June 1946 oath as an employee of the Strategic Services Unit (SSU);
- 21 October 1946 oath of office;
- 28 April 1965 oath which he executed when he became Deputy Director of Central Intelligence;
- 30 June 1966 oath which he executed when he became Director of Central Intelligence.

With regard to your third and fourth questions about oaths currently required of CIA officials and employees, I enclose a copy of the Entrance on Duty Secrecy Agreement which all employees sign. In addition, all new employees take the standard oath as required by 5 U.S.C. § 3331.

(EXECUTIVE REGISTRY FILE) *Congress*

The testimony of CIA officials and employees before committees of Congress is governed by the guidelines and rules established by Congress and not by this Agency. The enclosed Entrance on Duty Secrecy Agreement, which I expect all employees to honor, imparts a responsibility with respect to classified information. However, there is no conflict between that responsibility and the responsibility to reply honestly when testifying before committees of the Congress.

Again, I appreciate your concern about this matter, and hope that my reply may be reassuring to you.

Yours sincerely,



STANSFIELD TURNER

Enclosures

Distribution:

Orig - Addee
1 - DCI
1 - A/DDCI
1 - ER
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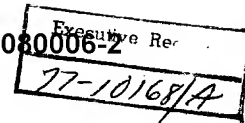
OLC:CM:kjs (9 Dec 77)
OLC:ELS:kjs (Retyped
12 Dec 77)

The Deputy Director

Central Intelligence Agency



Washington, D. C. 20505



OLC 77-5091/a

Honorable John F. Seiberling
House of Representatives
Washington, D. C. 20515

Dear Mr. Seiberling:

Thank you for your letter of 17 November concerning the oaths and agreements which Richard Helms took during his service with the CIA and which employees take today.

I appreciate your expression of support for my efforts to develop guidelines to govern the conduct of CIA employees. Let me assure you that the CIA is not being used to undermine the rule of law or free institutions of the United States, and will not be so used in the future.

In response to your first two questions concerning the oaths which Mr. Helms took, I enclose copies of the following for your information:

- 4 June 1946 oath as an employee of the Strategic Services Unit (SSU), a predecessor organization of the CIA;
- 21 October 1946 oath of office;
- 28 April 1965 oath which he executed when he became Deputy Director of Central Intelligence;
- 30 June 1966 oath which he executed when he became Director of Central Intelligence

With regard to your third and fourth questions about oaths currently required of CIA officials and employees, I enclose a copy of the Entrance on Duty Secrecy Agreement which all employees sign. In addition, all new employees take the standard oath as required by 5 U.S.C. § 3331.

Regarding your fifth question, there are not and never have been any regulations or guidelines of any sort issued to CIA officials or employees which require false or misleading testimony before the Committees of Congress. The Entrance on Duty Secrecy Agreement, which I expect all employees to honor, prohibits giving classified information to unauthorized persons, but this Agreement does not require an employee to lie or to mislead the Congress. I wish to assure you that I will reply honestly when testifying before Committees of the Congress, and I expect every CIA employee to do the same.

Again I appreciate your concern about this matter, and hope that my reply may be reassuring to you.

Yours sincerely,

STANSFIELD TURNER

Enclosures

Distribution:

Orig - Addee

1 - DCI

1 - A/DDCI

1 - ER

1 - OGC

1 - OLC Subject

OLC:CM:kjs (9 Dec 77)

OLC:ELS:kjs (Retyped
12 Dec 77)

TRANSMITTAL SLIP		DATE
TO: ER		
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REMARKS: FYI: Both page 1 and 2 have been retyped.		
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ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
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SUBJECT: (Optional)

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77-10168/A

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

13 DEC 1977

TO: (Officer designation, room number, and building)

DATE

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OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

77-10168

1. A/DDCI

14 DEC 1977

NO.

DATE

20 DEC 1977

2. ~~DCI Signature. Self explanatory~~

3. DCI

27 DEC 1977
14 Dec.

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

Attached for your signature is a letter to Representative John F. Seiberling in response to his inquiry about oaths taken by CIA employees, and whether the oath would enable an employee to rationalize the giving of false testimony.

This has been coordinated with [redacted], DD/A, and was retyped to include changes suggested by [redacted]

4. ER. Present to OGC. I am

5. concerned about permeability of law, which equates to law.

6. Leg Counsel

7. DCI. Signature den. now a good letter.

10.

11. OLC

12.

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15.

George L. Cary

13 Dec.

FORM 3-62

610

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JOHN P. SEIBERLING
14TH DISTRICT, OHIO

COMMITTEES:
JUDICIARY
INTERIOR AND
INSULAR AFFAIRS

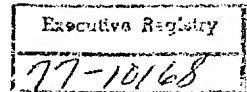
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Congress of the United States
House of Representatives
Washington, D.C. 20515

November 17, 1977

WASHINGTON OFFICE:
1225 LONGWORTH HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-5231

DISTRICT OFFICE:
FEDERAL BUILDING
AKRON, OHIO 44308
TELEPHONE: (216) 375-5710



recd 21 Nov

Mr. Stansfield Turner
Director
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Turner:

From what I read in the newspapers, you are moving in the right direction in developing some guidelines to govern the future conduct of CIA employees so that some of the types of abuses that have been revealed in the last few years will be less likely in the future. Certainly it is important to have an efficient and effective strategic intelligence service, but if we are to do so, it is essential to restore the public's confidence that the service is not being used to undermine the rule of law or the free institutions that the service was created to protect.

However, I continue to find myself troubled by former director Richard Helms' assertion that he did not testify truthfully to the Senate because he had taken "prior oath", as a CIA employee. Despite the fact that the court has clearly ruled that no such "prior oath" can override a legal obligation to respond to a proper inquiry by a congressional committee, at least not to the extent of permitting a false statement to the committee, the question of whether there was indeed such an oath, which might enable CIA employees to rationalize the giving of false testimony or otherwise breaking the law, remains unanswered.

Accordingly, I would very much appreciate it if you could supply me with answers to the following questions:

- 1 - Was any oath administered to Mr. Helms other than than the standard oath taken by government officials as required by 5 U.S.C. § 3331.
- 2 - If so, please furnish a copy of any such oath.
- 3 - Is any such oath currently required of CIA officials and employees?

WAS 11-10-68
(EXECUTIVE REGISTRY)
Long

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Stansfield Turner

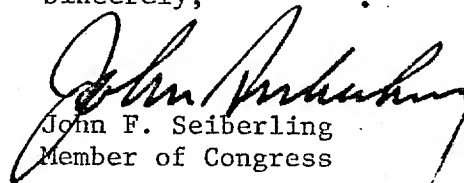
-2-

November 17, 1977

- 4 - If so, please furnish a copy of that oath.
- 5 - Were there in effect at the time Mr. Helms gave the testimony which led to his conviction, and are there now in effect, any orders, regulations or guidelines with respect to the duties of CIA officials and employees when testifying before committees of the Congress?
- 6 - If so, please furnish a copy of each such order, regulation or guideline.

Your early response to this matter will be greatly appreciated.

Sincerely,


John F. Seiberling
Member of Congress

JFS/cds

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8	D/DCI/NI				
9	GC		✓		
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SUSPENSE		<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;"> <i>25 Nov</i> Date </div>			

Remarks:

Sh prepare DCI response.



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